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Docket No. PGR-100
Serial No. 09/759,423Remarks

Claims 1-22 were pending in the subject application. By way of this Amendment, claims 1, 4, 9, 11, 21, and 22 have been amended, claims 13-20 have been canceled, and new claims 23-37 have been added. The undersigned avers no new matter is introduced by this Amendment. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 1-12 and 21-37 are now before the Examiner. Favorable consideration of the pending claims is earnestly requested.

Claims 1-12 and 21-22 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1, line 2 has been amended to replace the term "a hitch coupler" with the term "an A-frame coupler", in order to more clearly define the subject matter of the claimed invention. Claims 4, 9, 11, 21, and 22, which depend from claim 1, have also been amended so as to use language consistent with the language of Claim 1. Please note, the specification has also been amended to refer to reference numeral 1 of Figure 1A as "A-frame coupler" rather than "tongue", in order to more clearly describe the subject invention. Accordingly, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-12 and 21-22 under 35 U.S.C. §112.

Claims 1-2 and 21-22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Linton *et al.* (U.S. Patent No. 4,176,824) in view of Kendrick (U.S. Patent No. 4,702,458). The applicant respectfully traverses this grounds for rejection. The Office Action states that Linton *et al.* shows a vehicle jack selectively mountable on a vehicle. Claim 1 has been amended to now comprise a first piece mountable to an A-frame coupler of a trailer. This amendment has been made to more clearly define the subject matter which the applicant considers to be the invention. Support for this amendment to claim 1 can be found, at least, in Figure 1A where reference numeral 1 shows an A-frame coupler of a trailer. The applicant asserts the Linton *et al.* reference does not teach a trailer jack mounting apparatus comprising a first piece mountable to an A-frame coupler of a trailer. The Kendrick reference does not cure this defect. Rather, the Kendrick reference teaches a jack mounted to a trailer tongue. As neither the Linton *et al.* reference nor the Kendrick reference teaches a trailer jack mounting apparatus comprising a first piece mountable to an A-frame coupler of a trailer, the applicant asserts that a *prima facie* case of obviousness has not been made. With respect

to claims 21 and 22, claim 21 is directed to a trailer jack mounting apparatus comprising a first piece mountable to the A-frame coupler of the trailer wherein the A-frame coupler is designed to have the trailer jack mounted to the A-frame coupler and claim 22 further adds the limitation to the invention of claim 21 "wherein the second piece is mountable to the trailer jack, wherein the trailer jack is designed to mount to the A-frame coupler of the trailer". Accordingly, the invention as claimed in claim 22 can be used to allow a trailer jack, designed to mount to the A-frame coupler of a trailer, to be mounted to a second piece, the second piece to be moveably connected to the first piece, and the first piece mounted to the A-frame, such that the trailer jack is essentially moveably connected to the A-frame coupler. This is in contrast to both the Linton *et al.* reference and the Kendrick reference, neither of which teach or suggest a trailer jack apparatus as claimed in either claim 21 or claim 22 of the subject invention. Accordingly, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-2 and 21-22.

Claims 3-12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Linton *et al.* in view of Kendrick taken with Ebey. As discussed above, neither the Linton *et al.* or Kendrick references teach or suggest a trailer jack mounting apparatus comprising a first piece mountable to an A-frame coupler of a trailer. The Ebey reference does not cure this defect. Rather, the Ebey reference teaches a jack mounted on a trailer tongue. The Office Action states "[t]o provide additional mating holes in the first or second mounting pieces of Linton *et al.* so as to enable the vehicle jack to be pivoted between a horizontal and a vertical position would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Ebey." However, the structure of the mounting pieces (38), (34), and (32) of Linton *et al.* would not allow rotation, whether additional mating holes were created or not. Instead, side-by-side plates (38) surround rails (32) and (34) such that rotation of the jack mounted with plates (38) with respect to rails (32) and (34) is not possible. In fact, referring to column 1, lines 57-59, bails (40) encircle the device (14) so that the latter may be retained by the fixture but readily moved up and down in the fixture. This would prevent rotation. At column 1, lines 55-57, the Linton *et al.* reference teaches "[a] fixture made up of two side-by-side plates (38) and two bails (40) is fastened to the vehicle, as by welding plate (38) to the vehicle." Furthermore, there would be no motivation to modify the device disclosed in the Linton *et al.* reference so as to enable the vehicle jack to be pivoted between a horizontal and vertical

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position, as the Linton *et al.* device already incorporates a mechanism to quickly raise and lower the vehicle jack. Therefore, the addition of a mechanism to pivot the vehicle jack, if not incompatible, would be redundant. Accordingly, the applicant asserts it would not have been obvious to add mating holes in the mounting pieces of Linton *et al.* so as to enable the vehicle jack to be pivoted. Therefore, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 3-12 under 35 U.S.C. §103(a).

The applicant expresses gratitude to the Examiner for acknowledging claims 13-20 are withdrawn from consideration as being drawn to a non-elected species. Claims 13-20 have been canceled.

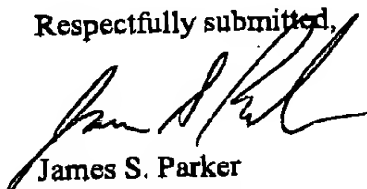
New claims 23-37 have been added and are directed to a method of mounting a trailer jack to an A-frame coupler of a trailer.

In view of the foregoing remarks and amendments to the claims, the applicant believes that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicant invites the Examiner to call the undersigned if clarification is needed on any aspect of this response, or if the Examiner believes there remains any valid ground upon which any claim in this application may be rejected subsequent to entrance of this amendment.

Respectfully submitted,



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Attachments: Petition and Fee for Extension of Time